

Remarks

In view of the following remarks, the Examiner is respectfully requested to allow Claims 1-10 and 12-21, the only claims pending and under examination in this application.

Allowable subject matter

Applicants thank the Examiner for the indication that claim 11 contains allowable subject matter. As Applicants believe that the pending claims are allowable, claim 11 has not been placed in independent form. Applicants also note that previously introduced claim 22 was not rejected. As such, it is believed that the Examiner also finds claim 22 to be allowable.

Interview Summary

The Applicants thank the Examiner for the interview held on October 26, 2004. During the interview, the above amendments were discussed in order to overcome the prior art of record. The Examiner also acknowledged that the 112 rejections of Claims 14 and 15 would be lifted.

Amendments

The claims have been amended to specify that the methods are for reading a surface of a chemical array, and that the apparatus is one that is specifically designed to read a surface of a chemical array. Support for these amendments is found in the previously pending claims, as well as the specification. See e.g., page 3, lines 27-31. As the amendments introduce no new matter to the application, their entry by the Examiner is respectfully requested.

The objection to the specification is addressed by the above amendment.

An objection was raised to claim 11 for depending on itself. In view of the above amendment to claim 11, this objection may be withdrawn.

Claims 14 and 15 were rejected under 35 U.S.C. § 112, second paragraph for assertedly not adding any additional limitations to claim 13 from which they depend. However, claim 13 does not specify whether the voice coil is connected the carrier or the detector or both. Claim 14 does specify that the voice coil is connected to the detector. Claim 15 does specify that the voice coil is connected to the carrier. Therefore, these claims 14 and 15 do add limitations to claim 13 and this rejection may be withdrawn.

Claim 12 was rejected under 35 U.S.C. 102(b) over JP patent No. 08063750. As this patent is directed solely to optical disk drives devices, e.g., as found in computers, it fails to teach the claimed method, which is directed to reading the surface of a chemical array. As such, this rejection may be withdrawn.

Finally, Claims 1, 2-7, 10, 13 and 16-21 were rejected under 35 U.S.C. 103(a) as obvious over Perry in view of Yamaguchi. However, neither of these references is directed to or even mentions the reading of chemical arrays. Specifically, both of these references are directed to optical disk drives. As such, these references fail to teach or suggest the claimed methods and apparatuses, which are directed to the reading of chemical arrays. Accordingly, this rejection may be withdrawn.

CONCLUSION

In view of the above amendments and remarks, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issuance.

If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided. The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-1078.

Respectfully submitted,

Date: 11.23.04

By: 

Bret Field
Registration No. 37, 620

Agilent Technologies, Inc.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, Colorado 80537-0599